

Appl. No. 09/941,313

Attorney Docket No. 10541-451

## II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested. Claim 1 has been amended. No claims have been added or cancelled.

After entering this amendment, claims 1-10 remain pending.

### *Examiner Interview Summary*

The undersigned would like to thank the examiner for conducting an interview held on April 9, 2008. During the interview, it was agreed that none of the cited references disclose a first direct line of sight between the transmitter and the lens. Therefore, it was agreed that claim 1 as amended would overcome the current rejection under 35 U.S.C. § 103(a).

### *Claim Rejections - 35 U.S.C. §103(a)*

Claims 1, 3-6, and 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0012389 to Brice, et al. ("Brice") in view of U.S. Patent No. 5,886,738 to Hollenbeck, et al. ("Hollenbeck"). Applicant respectfully traverses this rejection.

It is noted that claim 1 has been amended to recite that there is a first direct line of sight between the transmitter and the lens and there is a second direct line of sight between the light source and the lens. A careful reading of the references will reveal that none of the references disclose these elements. More specifically, Brice does not disclose any form of lens and therefore Brice

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cannot disclose a direct line of sight between the transmitter and the lens as claimed in claim 1. As to Hollenbeck, the transmitters of Hollenbeck (elements 680 and 690) do not have a direct line of sight with the lens 610 because there is a access panel 670 that is located between the transmitters and the lens 610. This access panel 670 can only be opened when the surveillance system 500 is completely disassembled including removing the lens 610.

In that the references fail to disclose or suggest all of the elements of the invention claimed in claim 1, it must be concluded that combination of the references cannot render the claims of the present application as obvious. The rejection under 35 U.S.C. § 103 is improper and should be withdrawn.

With respect to the remaining claims, these claims are dependant on claim 1 and are therefore patentable for at least the same reasons given above in support of claim 1. Accordingly, allowance of these claims is respectfully requested.

#### *Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

April 14, 2008  
Date

  
John A. Lingl (Reg. No. 57,414)

Attachments: None

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